



COMMONS REGISTRATION ACT 1965

Reference Nos 268/D/246 to 249
inclusive

In the Matter of The ^Market Place,
Easingwold, Hambleton D

DECISION

This dispute relates to the registration at ^EEntry No 1 in the Land Section and Entry Nos 1 and 1a in the Ownership Section of Register Unit No VG. 100 in the Register of Town or Village Greens maintained by the former North Riding County Council and is occasioned by Objection No 0227 made by Easingwold Parish Council and noted in the Register on 7 October 1970 and the conflicting registrations at Entry Nos 1 and 1a in the Ownership Section of the said Register Unit.

I held a hearing for the purpose of inquiring into the dispute at York on 1 July 1976. The hearing was attended by Mr Hiley of Messrs Robinson Drake and Hiley on behalf of Easingwold Parish Council. Mr Hiley told me that Objection No 0227 whereby Gwendoline Balf purporting to act on behalf of Easingwold Parish Council objected to the registration of the land as a village green on the ground that it was not a village green as defined by the Act of 1965 had been withdrawn. Furthermore Capt Wombwell has withdrawn his claim to ownership of the Market Place and I was told that the Parish Council is without doubt the owner.

I was told that markets are held in the Market Place, and that there is an ancient charter which affects the ^Market Place. Mr Hiley when asked by me what advantage there would be to the Parish Council if I were to confirm the Registration in the Land Section could not point to any such advantage. In my view the land is clearly not a village green as defined by the Act of 1965. I can see no benefit to the Parish Council which owns the land in conferring upon it the status of a village green and there may well be disadvantages, and for these reasons since the registration in the Land Section is provisional I refuse to confirm that registration.

I am required by regulation 30(1) of the Commons ^Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 22 day of July

1976

C. A. Little

Commons Commissioner